

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

V.

ROBERT REYNOLDS

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CASE NO: 1:06-CR-124-WHA

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, Robert Reynolds (“Mr. Reynolds”), by undersigned counsel, Christine A. Freeman, and respectfully requests pursuant to 18 U.S.C. § 3161(h)(8)(A), that this Court continue this matter from October 24, 2006 trial docket to the January 8, 2007 trial docket.

In support of this motion, the Defendant would show that such continuance will serve the ends of justice, in that failure to grant a continuance would deny counsel for the defendant or the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(B)(iv).

In further support, the Defendant would show:

1. Additional time is needed to discuss resolution of this matter. Defense counsel has requested reconsideration of an initial denial of pretrial diversion, based on the provision of additional information to government counsel.

2. Denial of a continuance would likely make a continuation of these proceedings impossible, or result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(8)(B)(i). Moreover, a period of delay granted pursuant to this request should be excluded in computing the time within which the trial of this matter must be commenced. See 18 U.S.C. § 3161(h) (1) (I), § 3161(h)(2).

3. The attorney for the government in this case, Susan Redmond, Esq., does not oppose this motion.

4. A Speedy Trial Waiver is being filed at the same time as this Motion.

WHEREFORE, the defendant respectfully prays that this Motion be granted.

Respectfully submitted,

s/Christine A. Freeman
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CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Susan Redmond, Esq., Assistant United States Attorney, One Court Square, Montgomery, AL 36104.

s/Christine A. Freeman
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